



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/733,537

12/07/2000

Philip R. Graham

CSCO-86861

1789

7590 02/09/2007  
WAGNER, MURABITO & HAO LLP  
Third Floor  
Two North Market Street  
San Jose, CA 95113

EXAMINER

HOFFMAN, BRANDON S

ART UNIT

PAPER NUMBER

2136

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
--	-----------	---------------

3 MONTHS

02/09/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/733,537	<b>Applicant(s)</b> GRAHAM, PHILIP R.	
	<b>Examiner</b> Brandon S. Hoffman	<b>Art Unit</b> 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7-13, 17-19 and 21-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-13, 17-19 and 21-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 7-13, 17-19, and 21-31 are pending in this office action, claims 1-6, 14-16, and 20 are currently canceled, and claims 21-31 are newly added.

### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 8, 2006, has been entered.
3. Applicant's arguments, filed November 8, 2006, have been considered but they are moot in view of the new grounds of rejection.

### **Rejections**

4. The text of those sections of Title 35, U.S. Code not included in this office action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2136

6. Claims 21-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 21 recites the limitation "connected to said bus" in line 1 on page 5. There is insufficient antecedent basis for this limitation in the claim. The remaining dependent claims inherit the deficiencies of claim 21.

***Claim Rejections - 35 USC § 103***

8. Claims 7-12, 21, 22, 24, 25, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al. (U.S. Patent No. 6,389,532) in view of Hakim et al. (U.S. Patent Pub. No. 2002/0167943).

Regarding claims 7 and 30, Gupta et al. teaches a restricted data format method/system for a network infrastructure copy protection system, comprising:

- Receiving a digital content file for transmission across a distributed computer network (fig. 7, ref. num 702);
- Examining data comprising the content file, the examining performed within the distributed computer network (fig. 7, ref. num 704 and 706).

Gupta et al. does not teach to the examining is to determine whether the content file comprises a restricted data format, transmitting the content file when the data comprising the content file does not include the restricted data format, and blocking the

transmission of the content file when the data comprising the content file does include the restricted data format to prevent unauthorized downloading of copyrighted material, **wherein the blocking is effected prior to a transmission of the content file to a receiver.**

Hakim et al. teaches examining the content file to determine whether the content file comprises a restricted data format (paragraph 0099, the firewall filters multimedia information), transmitting the content file when the data comprising the content file does not include the restricted data format (fig. 6, ref. num 612), and blocking the transmission of the content file when the data comprising the content file does include the restricted data format to prevent unauthorized downloading of copyrighted material, **wherein the blocking is effected prior to a transmission of the content file to a receiver** (paragraph 0099, voice packets are filtered by the firewall).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine examining a content file for restricted data formats, and transmitting the content file if not restricted data formats exist & blocking transmitting of restricted data formats do exist, as taught by Hakim et al., to the restricted data format method/system of Gupta et al. It would have been obvious for such modifications because the steps above provide security to prevent sensitive information, such as audio, to be transmitted.

Regarding claims 8-10, the combination of Gupta et al. in view of Hakim et al. teaches the restricted data format is an MP3 data format, a MPEG video data format, and a Word document format (see paragraph 0099 of Hakim et al.).

Regarding claims 11 and 24, the combination of Gupta et al. in view of Hakim et al. teaches the distributed computer network is the Internet (see col. 5, lines 15-20 of Gupta et al.).

Regarding claims 12 and 25, the combination of Gupta et al. in view of Hakim et al. teaches the examining is performed by a plurality of routers within the distributed computer network (see fig. 1, ref. num 104 of Gupta et al.).

Regarding claim 21, Gupta et al. teaches a network device comprising:

- One or more network interfaces (fig. 2a, ref. num 237);
- Computer readable memory units connected to said bus (col. 2a, ref. num 204);
- One or more processors coupled to said bus, said computer readable memory units for executing a digital signature method for a network infrastructure copy protection system (fig. 2a, ref. num 202), comprising:
  - Applying a digital signature to a digital content file (fig. 3, ref. num 310);
  - Examining the content file to determine whether the content file includes the digital signature, wherein the examining is performed within a distributed computer network (col. 3, lines 50-54);

Art Unit: 2136

- o Transmitting the content file when the content file includes the digital signature (col. 4, lines 7-11);
- o Blocking transmission of the content file when the content file does not include the digital signature to prevent unauthorized downloading of copyrighted material (col. 4, lines 12 and 13).

Gupta et al. does not teach blocking transmission of the content file when the data comprising the content file is a restricted data format to prevent unauthorized downloading of copyrighted material, **wherein the blocking is effected prior to a transmission of the content file to a receiver.**

Hakim et al. teaches blocking transmission of the content file when the data comprising the content file is a restricted data format to prevent unauthorized downloading of copyrighted material, **wherein the blocking is effected prior to a transmission of the content file to a receiver** (paragraph 0099, voice packets are filtered by the firewall).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine blocking transmission of the content file if the content file contains a restricted data format, as taught by Hakim et al., to the network device of Gupta et al. It would have been obvious for such modifications because the steps

above provide security to prevent sensitive information, such as audio, to be transmitted.

Regarding claim 22, the combination of Gupta et al. in view of Hakim et al. teaches wherein the digital signature is configured to identify the sender of the digital content file (see col. 3, lines 44-46 of Gupta et al.).

Claims 13, 17-19, 23, 26-29, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al. (USPN '532) in view of Hakim et al. (U.S. Patent Pub. No. 2002/0167943), and further in view of Gibbs et al. (U.S. Patent No. 6,085,321).

Regarding claims 17, 27, and 31, Gupta et al. teaches a network infrastructure/device/system protection method for detecting and denying transmission of restricted data formats, comprising:

- One or more network interfaces (fig. 2a, ref. num 237);
- Computer readable memory units connected to a bus (fig. 2a, ref. num 204);
- One or more processors coupled to said bus (fig. 2a, ref. num 202);
- Receiving a content file for transmission across a distributed computer network (fig. 7, ref. num 702);
- Examining data comprising the content file, wherein the content file is free of a digital signature, the examining performed within the distributed computer network (fig. 7, ref. num 704 and 706).



Gupta et al. does not teach using at least one router configured to log digital signatures related to the content file, the examining is to determine whether the content file comprises a restricted data format, transmitting the content file if the data comprising the content file does not include the restricted data format, and blocking the transmission of the content file when the data comprising content file does include the restricted data format to prevent unauthorized downloading of copyrighted material, **wherein the blocking is effected prior to a transmission of the content file to a receiver.**

Hakim et al. teaches the examining is to determine whether the content file comprises a restricted data format (paragraph 0099, the firewall filters multimedia information), transmitting the content file if the data comprising the content file does not include the restricted data format (fig. 6, ref. num 612), and blocking the transmission of the content file when the data comprising content file does include the restricted data format to prevent unauthorized downloading of copyrighted material, **wherein the blocking is effected prior to a transmission of the content file to a receiver** (paragraph 0099, voice packets are filtered by the firewall).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine examining a content file for restricted data formats, and transmitting the content file if not restricted data formats exist & blocking transmitting of restricted data formats do exist, as taught by Hakim et al., to the restricted data format

infrastructure/device/system of Gupta et al. It would have been obvious for such modifications because the steps above provide security to prevent sensitive information, such as audio, to be transmitted.

The combination of Gupta et al. as modified by Hakim et al. still does not teach using at least one router configured to log digital signatures related to the content file. Gibbs et al. teaches using at least one router configured to log digital signatures related to the content file (fig. 4, ref. num 432 and col. 6, lines 17-26).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine using a router configured to log digital signatures related to the content file, as taught by Gibbs et al., to the restricted data format infrastructure/device/system of Gupta et al./Hakim et al. It would have been obvious for such modifications because the steps above keep track of the status information and other information about the creation and authentication of digital signatures (see col. 3, lines 63-66 of Gibbs et al.).

Regarding claims 18, 19, 28, and 29, the combination of Gupta et al. in view of Hakim et al./Gibbs et al. teaches the restricted data format is an MP3 data format, a MPEG video data format, and a Word document format (see paragraph 0099 of Hakim et al.).

Art Unit: 2136

Regarding claims 13 and 26, the combination of Gupta et al. in view of Hakim et al. teaches all the limitations of claims 7 and 21, respectively, above. However, the combination of Gupta et al. as modified by Hakim et al. does not teach the examining is performed by a plurality of cache engines within the distributed computer network.

Gibbs et al. teaches the examining is performed by a plurality of cache engines within the distributed computer network (fig. 4, ref. num 420 and col. 7, lines 13-28).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine a plurality of cache engines to perform the examining within the distributed computer network, as taught by Gibbs et al., to the method/network device of Gupta et al./Hakim et al. It would have been obvious for such modifications because the use of a plurality of cache engines to perform examining within the distributed computer network allows faster examining of data as it is passed over the distributed computer network (see col. 7, lines 15-25 of Gibbs et al.).

Regarding claim 23, the combination of Gupta et al. in view of Hakim et al. teaches all the limitations of claim 21, above. However, the combination of Gupta et al. as modified by Hakim et al. does not teach wherein the digital signature applied to the content file within the distributed computer network is logged when the content file is transmitted across the distributed computer network.

Gibbs et al. teaches wherein the digital signature applied to the content file within the distributed computer network is logged when the content file is transmitted across the distributed computer network (fig. 4, ref. num 432 and col. 6, lines 17-26).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the step of logging the digital signature applied to the content file when the content file is distributed, as taught by Gibbs et al., to the network device of Gupta et al./Hakim et al. It would have been obvious for such modifications because the step of logging the digital signature applied to the content file when the content file is distributed keeps track of the status information and other information about the creation and authentication of digital signatures (see col. 3, lines 63-66 of Gibbs et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2136

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Branda Neff*

BH

NASSER MOAZZAMI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

*Nasser Moazzami*  
2,6,07